

# SENATE MOTION

**MADAM PRESIDENT:**

**I move** that Engrossed House Bill 1056 be amended to read as follows:

- 1           Page 1, between the enacting clause and line 1, begin a new
- 2           paragraph and insert:
- 3           "SECTION 1. IC 16-42-5.2-2 IS AMENDED TO READ AS
- 4           FOLLOWS [EFFECTIVE JANUARY 1, 2005 (RETROACTIVE)]:
- 5           Sec. 2. **(a) Except as provided in subsection (b)**, this chapter does not
- 6           apply to a food establishment when the food establishment's food
- 7           handling activities are limited solely to one (1) or more of the
- 8           following:
- 9           (1) Heating or serving precooked ~~hot dog or sausage products,~~
- 10           ~~popcorn, nachos, pretzels, or frozen pizza.~~ **foods.**
- 11           (2) Preparing or serving a continental breakfast such as rolls,
- 12           coffee, juice, milk, and cold cereal.
- 13           (3) Preparing or serving nonalcoholic or alcoholic beverages **that**
- 14           **are not potentially hazardous beverages** or ice.
- 15           ~~(4) Grinding coffee beans.~~
- 16           ~~(5) Packaging~~ **(4) Preparing or serving packaged or**
- 17           **unpacked** foods that are not potentially hazardous foods, ~~in~~
- 18           ~~accordance with rules adopted by the executive board: including~~
- 19           **elephant ears, funnel cakes, cotton candy, confectionaries,**
- 20           **baked goods, popcorn, and chips and grinding coffee beans;**
- 21           ~~(6) Heating when it is the only preparation step for a bakery~~
- 22           ~~product.~~
- 23           ~~(7)~~ **(5) Providing** prepackaged food in its original package.
- 24           **(b) This subsection does not apply to a pharmacy that is a food**
- 25           **establishment that provides only prepackaged food products for**
- 26           **sale. A food establishment that has more than ten thousand**
- 27           **(10,000) square feet in total retail sales space at the food**
- 28           **establishment location must comply with this chapter."**
- 29           Re-number all SECTIONS consecutively.
- (Reference is to EHB 1056 as printed April 1, 2005.)

---

Senator WEATHERWAX